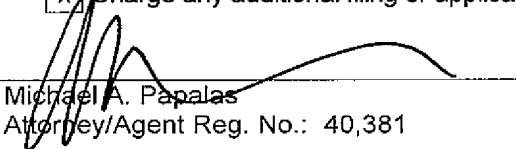


| <b>AMENDMENT TRANSMITTAL LETTER</b>   |   |   |                                   | Docket No.<br>48550/P003US/10309896 |      |
|---|---|---|-----------------------------------|-------------------------------------|------|
| Application No.<br>10/789,444-Conf. #5009   | Filing Date<br>February 27, 2004          | Examiner<br>S. T. Nguyen                | Art Unit<br>3643                  |                                     |      |
| Applicant(s): David Shaver et al.   |   |   |                                   |                                     |      |
| Invention: GROWING VINED PLANTS   |   |   |                                   |                                     |      |
| <b>TO THE COMMISSIONER FOR PATENTS</b><br>Transmitted herewith is an amendment in the above-identified application.<br>The fee has been calculated and is transmitted as shown below.   |   |   |                                   |                                     |      |
| <b>CLAIMS AS AMENDED</b>  |   |   |                                   |                                     |      |
|   | Claims<br>Remaining<br>After<br>Amendment | Highest<br>Number<br>Previously<br>Paid | Number<br>Extra Claims<br>Present | Rate                                |      |
| <b>Total Claims</b>   | 10  | - 20 =                                  | 0                                 | x 50.00                             | 0.00 |
| <b>Independent<br/>Claims</b>   | 4   | - 4 =                                   | 0                                 | x 200.00                            | 0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/>  |   |   |                                   |                                     |      |
| Other fee (please specify):   |   |   |                                   |                                     |      |
| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>   |   |   |                                   |                                     | 0.00 |
| <input checked="" type="checkbox"/> Large Entity <span style="margin-left: 200px;"><input type="checkbox"/> Small Entity</span>   |   |   |                                   |                                     |      |
| <input checked="" type="checkbox"/> No additional fee is required for this amendment.   |   |   |                                   |                                     |      |
| <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____.<br>A duplicate copy of this sheet is enclosed.  |   |   |                                   |                                     |      |
| <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.   |   |   |                                   |                                     |      |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.   |   |   |                                   |                                     |      |
| <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>06-2380</u><br>as described below.  |   |   |                                   |                                     |      |
| <input checked="" type="checkbox"/> Credit any overpayment.   |   |   |                                   |                                     |      |
| <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.  |   |   |                                   |                                     |      |
| <br>Michael A. Papalas<br>Attorney/Agent Reg. No.: 40,381<br><br>FULBRIGHT & JAWORSKI L.L.P.<br>2200 Ross Avenue, Suite 2800<br>Dallas, Texas 75201-2784<br>(214) 855-8186 |   |   |                                   | Dated: <u>October 23, 2006</u>      |      |